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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,692	06/06/2001	Shuling Yu	60001.0016US01	7937
27488	7590	09/06/2006	EXAMINER	
MERCHANT & GOULD (MICROSOFT)			NGUYEN, CINDY	
P.O. BOX 2903			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402-0903			2161	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,692

Applicant(s)

YU ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-18 and 20-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-18 and 20-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is response to amendment filed 05/03/06.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive.

On pages 10-15, Applicant's arguments that "**Hita only refers to one or the other operating system** providing functions not both, thus not a plurality of different computer operating systems. Thus, Applicant agreed that Hita have more than one operating systems, that the help utilities received in the database from all of a plurality of different computer operating system wherein the plurality of help utilities are associated with the plurality of different operating systems and assist in maintaining and configuring the plurality of different computer operating systems (col. 9, lines 35-54, col. 11, lines 57 to col. 12, lines 9).

Applicant's argued that Hita does not disclose: match between keywords and help utilities in order to display the related help utility. In response, Hita discloses: match between keywords and help utilities in order to display the related help utility (col. 11, lines 7-36 and lines 60 to col. 12, lines 9).

Applicant's argued that Hita does not disclose: if after the step of searching the database, no help utility is found matching at least one of the search terms but a related help utility is found that closely approximates the search terms to display the related help utility. In response, Hita discloses: if after the step of searching the database, no help utility is found matching at least one of the search terms but a related help utility is

found that closely approximates the search terms to display the related help utility (col. 8, lines 1-25).

Regarding claim 25, Applicant's argued that Hita does not disclose: receiving a search keyword directed to help utility in response to receiving the search keyword, searching the plurality of help utilities across a plurality of computer operating systems and a plurality of computer software applications and finding a help utility matching the keywords. In response, Hita discloses: receiving a search keyword directed to help utility in response to receiving the search keyword (col. 8, lines 1-25), searching the plurality of help utilities across a plurality of computer operating systems (operating system 220, 260) and a plurality of computer software applications (help browser, edit software application) and finding a help utility matching the keywords (col. 9, lines 35-54, col. 11, lines 57 to col. 12, lines 9).

Regarding claim 9, Applicant's argued that Hita in view of Richard does not teach or suggest that the search keywords may be input using a plurality of different languages according to preferred spoken languages and that the plurality of help utilities are executed in a variety of different languages. In response, Hita discloses: the search keywords may be input using a plurality of different languages according to preferred spoken languages (col. 5, lines 65 to col. 6, lines 15, Hita) and that the plurality of help utilities are executed in a variety of different languages (col. 5, lines 65 to col. 6, lines 15, Hita).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 16, at line 6 recites pronoun "that" is not permitted in the claim. Correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 12-15, 20-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claims 12-15, 20-24, a computer-readable medium carrying one or more sequences of Instructions for executing transactions is recited in the claim. "Computer-readable medium" as defined in the specification (0010 and 0034) includes transmission media can also take the form of acoustic, RF, infrared and other wireless media,. A signal encoded with functional descriptive material does not fall within any of the categories of patentable subject matter. Therefore, claims 12-15, 20-24 are not statutory (As set forth in § 101, a claimed signal is clearly not a process under § 101 because it is not a series of steps. A claimed signal has no physical structure, does not itself perform any useful, concrete and tangible result, and does not fit within the

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definition of a machine. A claimed signal is not matter, but a form or energy, and therefore is not a composition of matter or product).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-18, 20-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over de Hita et al. (US 6081774) (Hita) in view of Richards et al. (U.S. 5995921) (Richards).

Regarding claims 1, 10, 11 and 25, Hita discloses: a computer-implemented method, a computer readable medium and system of searching for a help utility, comprising the steps of:

searching a single database containing a plurality of help utility received in the database from all of plurality of different computer operation systems (col. 9, lines 35-54, Hita) wherein the plurality of help utilities are associated with the plurality of different operating systems and assist in maintaining and configuring the plurality of different computer operation systems (col. 6, Lines 46-65, Hita);

finding a help utility matching the keywords among the plurality of help utilities (col. 11, Lines 57 to col. 12, Lines 8, Hita); and

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executing the help utility (col. 11 , Lines 57 to col. 12, Lines 8, Hita). However, Hita didn't disclose'. providing a utility search dialog via an interface of a computer, receiving via the interface input one or more search keywords directed to at least one help utility. On the other hand, Richards discloses: providing a wizard search dialog 306, fig. 3B and corresponding text, Richards), receiving via the interface input one or more search keywords directed to at Least one help utility (col. 4, Lines 39 to col. 5, Lines 2, Richards). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include providing a wizard search dialog, inputting one or more search keywords in the system of Hita as taught by Richards. The motivation being to provide the dialog user interface to allow the user enter the query in natural Language words or phrases for searching help files when the user need help (col. 4, lines 40-66, Richards).

In addition, Hita/Richards discloses: whereby the search within the database yields function wizards across different operations system (fig. 2 and col. 6, Lines 66 to col. 7, Lines 27, Hita).

As per claims 12, 16 and 20, all the limitations of these claims have been noted in the rejection of claims 10, 11 and 25 above. It is therefore rejected as set forth above.

Regarding claims 2, 13, 17 and 21, most of the Limitations of these claims have been noted in the rejection of claims 1, 12, 16 and 20 above, respectively. In addition, Hita/Richards discloses: further comprising the steps of: determining whether more than one help utility is found matching the keywords (col. 11, lines 25-39, Richards);

displaying all help utilities found to match the keywords (col. 13, Lines 27-36, Richards); and selecting one of all help utilities found to match keywords (col. 13, Lines 27-36, Richards).

Regarding claim 4, most of the Limitations of this claim have been noted in the rejection of claim 1 . In addition, Hita/Richards discloses: further comprising the steps of if after the step of searching the database containing the plurality of help utilities, no help utility is found matching the keywords but a related help utility that closely approximates the keywords is found, then displaying the related help utility', invoking the related help utility (col. 39, Lines 10- 43, Hita).

Regarding claims 3, 14, 18 and 22, most of the limitations of these claims have been noted in the rejection of claims 1 , 13, 16 and 20 above, respectively. In addition, Hita/Richards discloses: further comprising the steps of: if after the step of searching the database containing the plurality of help utilities, no help utility is found matching the keywords, then providing the utility search dialog (col. 9, Lines 54 to col. 10, Lines 15, Richards); inputting one or more additional keywords directed to one of the plurality of help utilities (col. 9, Lines 54 to col. 10, Lines 15, Richards); searching the database containing the plurality of help utilities (col. 5, Lines 38-65, Richards).

Regarding claim 6, most of the Limitations of this claim have been noted in the rejection of claim 1 . In addition, Hita/Richards discloses: whereby the plurality of helps

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utilities further includes help utilities associated with a variety of computer software application (col. 6, Lines 66 to col. 7, Lines 27, Hita).

Regarding claim 7, all of the limitations of this claim have been noted in the rejection of claim 4. In addition, Hita/Richards discloses: wherein the plurality of help utilities comprise a plurality of wizards, each wizard associated with one of the variety of computer operating systems and wherein the related help utility is a wizard (col. 6, Lines 66 to col. 7, lines 27, Hita).

Regarding claim 8, all of the Limitations of this claim have been noted in the; rejection of claim 4. In addition, Hita/Richards discloses: wherein the plurality of help utilities comprise a plurality of help files, each help file associated with one of the variety of computer operating systems and wherein the related help utility is a help file (col. 6, Lines 66 to col. 7, lines 27, Hita).

Regarding claim 9, all of the Limitations of this claim have been noted in the rejection of claim 1 . In addition, Hita/Richards discloses: whereby the search keywords may be input using a plurality of different Languages according to preferred spoken languages (col. 5, Lines 51 to col. 6, Lines 15, Hita) and wherein the plurality of help utilities are executed in a variety of different languages (col. 5, lines 65 to col. 6, lines 15, Hita).

As per claims 15 and 23, all the Limitations of these claims have been noted in the rejection of claims 12 and 20 above. It is therefore rejected as set forth above.

As per claims 20-23, all the limitations of these claims have been noted in the rejection of claims 10, 14, 15 above, respectively. It is therefore rejected as set forth above.

Regarding claim 26, most of the limitations of this claim have been noted in the rejection of claim 25. In addition, Hita/Richards discloses: wherein at Least one of the plurality of help utilities is provided by a different computer operating system than other help utilities of the plurality of help utilities (col. 6, Lines 66 to col. 7, lines 27, Hita).

Regarding claims 24 and 27, most of the limitations of these claims have been noted in the rejection of claims 1 and 26 above. In addition, Hita/Richards discloses: wherein the variety of computer operating systems comprises different computer operating systems that are connected in a network (col. 8, Lines 40-55, Hita).

Regarding claim 28, most of the limitations of this claim have been noted in the rejection of claim 25. In addition, Hita/Richards discloses'. wherein at least one of the plurality of help utilities is provided by a different computer software application than other help utilities of the plurality of help utilities (col. 6, Lines 66 to col. 7, Lines 27,

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Hita), and wherein the plurality of computer software application are connected in a network (col. 8, Lines 40-55, Hita).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ainsbury et al. (U.S 6078924). Method and apparatus for performing data collection, interpretation and analysis, in an information platform.

Brooks et al. (US 4992972). Flexible context searchable on-line information system with help files and modules for on-line computer system documentation.

Johnson et al. (US 4648062). Method for providing an on line help facility for interactive information handling systems.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gaffin Jeffrey can be reached on 571-272-4190. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
August 17, 2006

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER